

CERTIFICATE OF E-FILING/TRANSMISSION/MAILING

I hereby certify that this correspondence is being transmitted via the Office electronic filing system in accordance with 37 CFR 1.6(a)(4), facsimile transmitted to the USPTO at (571) 273-8300, or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on August 22, 2008.

/Erin Cowles/

Erin Cowles

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No.	:	10/034,528	Conf. No.:	2563
Applicant	:	Eldridge et al.		
Filed	:	December 27, 2001		
TC/A.U.	:	2829		
Examiner	:	Paresh H. Patel		
Docket No.	:	P6C3-US		

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

To Whom It May Concern:

Listed on an attached Form PTO/SB/08A is information known to applicant(s). Applicants ask that the attached Form PTO/SB/08A be initialed and returned in accordance with MPEP §609. This statement is not intended to represent that a search has been made or that the information cited in the statement is, or is considered to be, material to patentability as defined in §1.56.

- ☐ This statement qualifies under 37 C.F.R. §1.97, subsection (b) because (check all that apply):
- ☐ It is being filed within 3 months of the application filing date (other than the filing date of a continued prosecution application under §1.53(d)); or
 - ☐ It is being filed within 3 months of entry of a national stage; or
 - ☐ It is being filed before the mail date of the first Office Action on the merits; or
 - ☐ It is being filed before the mail date of the first Office Action after the filing of a request for continued examination under §1.114.
- ☒ 37 C.F.R. §1.97(c). If this statement is being filed three months after the filing date of a national application or entry of the national stage in an international application and the mailing date of a first Office action on the merits but before the mailing date of the earlier of a final office action, a notice of allowance, or an action that otherwise closes prosecution in the application, then:
- ☒ a statement as specified in §1.97(e) is provided below; **or**
 - ☐ a fee of \$180.00 as set forth in §1.17(p) is authorized below, enclosed, or included with the payment of other papers filed together with this statement.
- ☐ 37 C.F.R. §1.97(d). If this statement is being filed after the mailing date of the earlier of a final office action under §1.113, a notice of allowance under §1.311, or an action that otherwise closes prosecution in the application, but before payment of the issue fee, then:
- a statement as specified in §1.97(e) is provided below; **and**
- a fee of \$180.00 as set forth in §1.17(p) is authorized below, enclosed, or included with the payment of other papers filed together with this statement.

Fee:

- ☒ No fee is due.
- ☐ A check that includes \$_____ for the above-identified fee(s) is enclosed.
- ☐ Payment is provided by credit card.
- ☐ This statement is filed as one part of a multi-part submission. The fee for the complete submission was included in an electronically filed submission on __. Applicants request the foregoing fee be accepted for this statement. (See OG Notice dated 17 September 2002.)

Respectfully submitted,

Date: August 22, 2008

By /N. Kenneth Burraston/
N. Kenneth Burraston
Reg. No. 39,923

Kirton & McConkie
P.O. Box 45120
Salt Lake City, Utah 84145-0120
Telephone: (801) 426-2106
Fax: (801) 321-4893

STATEMENT UNDER 37 § C.F.R. 1.97(e)

- ☒ 37 C.F.R. §1.97(e)(1). The undersigned hereby states that each item of information contained in this information disclosure statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the statement; or
- ☐ 37 C.F.R. §1.97(e)(2). The undersigned hereby states that no item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to the knowledge of the undersigned after making reasonable inquiry, was known to any individual designated in § 1.56(c) more than three months prior to the filing of this statement.

Respectfully submitted,

Date: August 22, 2008

By /N. Kenneth Burraston/
N. Kenneth Burraston
Reg. No. 39,923